

these circumstances, Plaintiffs seek certain limited and expedited discovery from Defendants, including document production and the depositions of two individuals. Plaintiffs filed the current motion on August 12, 2017, and Defendants have not yet responded.

Plaintiffs do not specify in their motion whether they have conferred with Defendants about their request for early and expedited discovery. Thus, the Court **DIRECTS** the parties to confer on this matter and to notify the Court if they can agree on a schedule for early and expedited discovery. The parties shall notify the Court via the electronic docket whether or not they are able to reach such an agreement no later than 12:00 P.M. on Thursday, August 17, 2017, and they shall attach the agreement if one is reached at that time. If the parties are unable to reach such an agreement, Defendants shall file a response to Plaintiffs' motion no later than 5:00 P.M. on Monday, August 21, 2017. The Court may schedule a prompt hearing based on the responses filed.

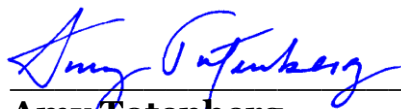
Relatedly, it appears that not all Defendants have been served at this time. Defendants' Petition for Removal represents that the following seven Defendants had not been served as of the date of the petition: David Worley (member of the State Election Board), Merle King (Executive Director of the Center for Election Systems at Kennesaw University), the Center for Election Systems at Kennesaw University, Janine Eveler (Director of the Cobb County Board of Elections and Registration), Jessica Brooks (member of the Cobb County Board of Elections and Registration), Darryl O. Wilson (member of the Cobb County Board of

Elections and Registration), and the Cobb County Board of Elections and Registration.¹ It is not clear whether Plaintiffs have served these Defendants since the Petition for Removal was filed. At a minimum, it appears that three of these seven Defendants have received notice of this action since they consented to the removal to this Court. (See Doc. 1 at 5.) The remaining four Defendants – the Cobb County Board of Elections and Registration along with the two individual Board members and the director – must at least have notice of this action before the Court can assess Plaintiffs’ motion for early and expedited discovery. Thus, the Court **DIRECTS** Plaintiffs to give phone and electronic notice to the Cobb County Board of Elections and Registration via Janine Eveler, the Director, no later than 5:00 P.M. on April 15, 2017 if they have not done so already. Plaintiffs shall request that Ms. Eveler distribute the current motion (Doc. 4) to the individual Board members. Additionally, Plaintiffs may request that Ms. Eveler accept service on behalf of the individual Board members.²

¹ Defendants also represent that Mark Wingate has replaced Stan Matarazzo on the Fulton County Board of Registration and Elections. Stan Matarazzo is currently named as a defendant in this action and was served, but Defendants state that his replacement, Mark Wingate, has not been served. Thus, Plaintiffs may also need to serve Mark Wingate, or at the very least, to provide him with phone and electronic notice of this action no later than 5:00 P.M. on April 15, 2017.

² See Fed. R. Civ. P. 4. Specifically, Plaintiffs should look to Rule 4(j) regarding service of the Cobb County Board of Elections and Registration. Ms. Eveler appears to be the “chief executive director” of the Board pursuant to Rule 4(j), meaning that she should be able to accept service on the Board’s behalf.

IT IS SO ORDERED this 14th day of August, 2017.

A handwritten signature in blue ink, appearing to read "Amy Totenberg", is written over a horizontal line.

Amy Totenberg
United States District Judge